

AMENDED IN ASSEMBLY MAY 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1507

Introduced by Assembly Member Negrete McLeod

February 21, 2003

An act to amend Section 7901 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1507, as amended, Negrete McLeod. Amusement rides.

The existing Amusement Rider Safety Law provides for the inspection of, and issuance of permits for, amusement rides, as defined, and makes it a misdemeanor for an owner or operator of any amusement ride to fail to comply with that law.

This bill would restrict the definition of the term “amusement ride” to rides that are transportable. This bill would broaden also modify the definition of the term “amusement ride” to expressly include carnival rides owned by traveling carnivals, thereby expanding the scope of a crime and, consequently, imposing a state-mandated local program as defined.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

SECTION 1. Section 7901 of the Labor Code is amended to read:

7901. As used in this part:

(a) “Amusement ride” means a *transportable* mechanical device which carries or conveys passengers along, around, or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. “Amusement ride” includes ~~carnival~~ rides owned by traveling carnivals and the business of operating bungee jumping services or providing services to facilitate bungee jumping, but does not include slides, playground equipment, coin-operated devices or conveyances which operate directly on the ground or on the surface or pavement directly on the ground or the operation of amusement devices of a permanent nature. The division shall determine the specific devices which are amusement rides for the purposes of this part. This determination shall be made to apply equally to all operators of similar or identical rides and shall be made pursuant to a procedure promulgated by the standards board.

(b) “Operator” or “owner” means a person who owns or controls or has the duty to control the operation of an amusement ride. It includes the state and every state agency, and each county, city, district, and all public and quasi-public corporations and public agencies therein.

(c) “Permit” means a document issued by the division which indicates that an inspection of the ride has been performed pursuant to rules and regulations adopted by the division.

(d) “*Traveling carnival*” means a person who owns more than one transportable ride who transports, assembles, and disassembles those rides more than once during a calendar year, and who employs full-time workers.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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